

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**BRANDON KING**

**PLAINTIFF**

**VS.**

**4:19-CV-29-BRW-BD**

**BOMBGARDENER, et al.**

**DEFENDANTS**

**ORDER**

I have received a Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere. After carefully considering the Recommendation and Mr. King’s timely objections, and after a *de novo* review of the record, I approve and adopt the Recommendation in all respects. Plaintiff points out that Defendant opened mail in another case he is litigating. However, he's not represented by counsel in that case (so there's no attorney-client privilege) and the three documents filed in that case are all public documents and would have been provided to the defendants.

Mr. King’s claims are DISMISSED, without prejudice, based on his failure to state a constitutional claim. This dismissal constitutes a “strike” for purposes of 28 U.S.C. § 1915(g) and an *in forma pauperis* appeal of this dismissal would be frivolous and not taken in good faith.

IT IS SO ORDERED, this 31st day of January, 2019.

/s/ Billy Roy Wilson \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE